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FloorPrep
Legislative Digest

Tuesday, July 25, 2000

*The House will meet at 9:00 a.m. for Morning Hour
and 10:00 a.m. for Legislative Business*

Anticipated Floor Action:

- H.R. 4888—To Protect Innocent Children**
- H.R. 4923—Community Renewal and New Markets Act**
- H.R. 4850—Veterans Benefits Act of 2000**
- H.R. 4864—Veterans Claims Assistance Act of 2000**
- H.R. 1982—Designating the Donald J. Mitchell Veterans Outpatient Clinic**
- H.Con.Res. 351—Recognizing the Heroes Plaza as Honoring Recipients of the Medal of Honor**
- H.Res. 549—Recognizing the 10th Anniversary of Guard and Reserve Units Being Deployed for Operations Desert Shield and Desert Storm**
- H.R. 4846—National Recording Preservation Act of 2000**
- H.R. 4924—Truth In Regulation Act of 2000**
- H.R. 1651—Fisherman's Protective Act Amendments of 1999**
- H.R. 3236—Authorizing the Use of the Weber Basin Project Facilities**
- H.R. 3468—Duchesne City Water Rights Conveyance Act**
- H.R. 3676—Santa Rosa and San Jacinto Mountains National Monument Act**
- H.R. 3817—Designating the "Jaryd Atadero Legacy Trail"**
- S. 1629—Oregon Land Exchange Act of 2000**
- H.R. 4275—Colorado Canyons and Black Ridge Canyons Act of 2000**
- H.R. 2919—National Underground Railroad Freedom Center Act**
- S. 1910—Acquisition of the Hunt House in Waterloo, New York**
- H.R. 2833—Yuma Crossing National Heritage Act of 2000**
- S. 2327—Oceans Act of 2000**
- H.R. 2462—Guam Land Return Act**
- H.R. 4868—Miscellaneous Trade and Technical Corrections Act of 2000**
- H.R. 4710—Illegal Pornography Prosecution Act of 2000**
- H.R. 4047—Two Strikes and You're Out Child Protection Act**
- H.R. 3380—Military Extraterritorial Jurisdiction Act of 1999**
- H.R. 3485—Justice for Victims of Terrorism Act**
- H.R. 4033—Bulletproof Vest Partnership Grant Act of 2000**

**H.Res. 544—Congratulating Mexico on the Success of
Their Democratic Elections**

**H.R. 4697—The International Anti-Corruption and Good
Governance Act of 2000**

H.R. 4210—Preparedness Against Terrorism Act of 2000

H.R. 4806—Designating the “Carl Elliot Federal Building”

**H.Con.Res. 372—Expressing the Sense of Congress on the Significance of the
210th Anniversary of the Coast Guard**

H.R. 4807—Ryan White CARE Act Amendments of 2000

**H.Con.Res. 375—Recognizing the Importance of Children and
National Youth Day**

**H.Con.Res. 343—Expressing the Sense of Congress on the Importance of
Eating Together**



Bills Under Suspension of the Rules

Floor Situation: The House will consider the following 35 bills under suspension of the rules as its first order of business today. Each is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

H.R. 4888 makes it unlawful for any authority of the United States, to carry out a sentence of death on a woman while she carries a child in utero. The term ‘child in utero’ means a member of the species homo sapiens, at any stage of development, who is carried in the womb. H.R. 4888 was introduced by Ms. Ros-Lehtinen on July 19, 2000 and was not considered by a committee.

H.R. 4923 reduces taxes and regulatory restraints in order to spur business investment and employment growth in depressed areas. Incentives for investment include: a zero capital gains rate after five years for businesses within a renewal community, “expensing” of \$35,000 more in capital improvements than currently available, a wage credit of 15 percent of the first \$10,000 for each resident a business employs, a “Brownfield” expensing provision for certain environmental remediation costs, up to a 20 percent tax credit for renovation and rehabilitation costs for nonresidential buildings within the renewal community, and allows faith-based substance-abuse programs to receive federal assistance.

In addition to the tax incentives and regulatory relief, H.R. 4923 accelerates increases in the low-income housing credit and state and local bond limits to expand low-income housing and provide funding for infrastructure developments. H.R. 4923 authorizes New Markets Venture Capital Companies (NMVCCs), Small Business Investment Companies (SBICs), and America’s Private Investment Companies (APICs) to provide increased capital through loan guarantees for small business investments within empowerment zones and renewal communities.

Provisions of H.R. 4923:

Renewal Communities

Designation— The bill establishes a procedure for the designating 40 “renewal communities,” eight of which must be in rural areas. State and local governments nominate communities with pervasive poverty, high unemployment, and general economic distress. The Department of Housing and Urban Development would examine these applications, rank the applications according to criteria established in the bill, and (after consulting with other relevant Federal agencies) designate the 40 renewal communities. The relevant portions of the District of Columbia would be automatically eligible for renewal community designation once the existing DC Enterprise Zone expires.

Tax Incentives—Individuals and businesses within renewal communities would be eligible for a variety of tax incentives through 2009:

- ❑ **Zero Capital Gains Rate**- Individuals pay no capital gains taxes on the sale of renewal community businesses or business assets held for more than 5 years.
- ❑ **Increased Expensing for Small Businesses**- H.R. 4923 allows small businesses to expense (i.e., deduct immediately rather than depreciate over time) up to \$35,000 more in equipment than they are currently able to.
- ❑ **Employment Wage Credit**-businesses employing community residents would be eligible for a wage tax credit (15% of the first \$10,000) for each resident.
- ❑ **Community Revitalization Deductions**- Up to 20% credit available to taxpayers who rehabilitate or revitalize non-residential buildings.
- ❑ **Brownfields**- Businesses can expense certain environmental remediation costs.

Empowerment Zone Tax Incentives

The bill permits the designation of nine new empowerment zones. In addition, the bill also expands and extends current empowerment zone tax benefits.

9 New Empowerment Zones – H.R. 4923 allows the Department of Housing and Urban Development (HUD) to designate 9 additional empowerment zones, seven of which would be in urban areas and two would be in rural areas. The designation would be made using current law evaluation criteria.

Wage Credit and Other Incentives – The existing empowerment zones were established through two different laws, the Omnibus Budget Reconciliation Act of 1993 and the Taxpayer Relief Act of 1997. Currently, empowerment zones designated pursuant to the latter generally are not eligible for the wage credit. H.R.4923 extends the wage credit to all empowerment zones (including the 9 new empowerment zones authorized by the bill). Therefore, all businesses located in an empowerment zone would be eligible for the wage credit when employing resi-

dents, increased expensing for small businesses and enhanced tax-exempt bonds.

Capital Gains Rollover and 60% Deduction Available to Empowerment Zones – Individuals selling qualified empowerment zone property (such as stock in an empowerment zone business or empowerment zone business property) may “rollover” their gains (and pay no capital gains taxes) provided that they reinvest the proceeds in new qualified empowerment zone property. If the event the taxpayer does not qualify for the capital gains “rollover,” the taxpayer would be able to exclude 60% of the income from the sale of qualified small business stock.

Bond Volume Cap and Low Income Housing Tax Credit Increases

The bill accelerates the increase in the state private activity bond volume cap and increases and reforms the low-income housing tax credits for empowerment zones and renewal communities. (Both provisions are nearly identical to provisions included in the Small Business Tax Fairness Act of 2000 that passed the House of Representatives on March 9, 2000.)

Private Activity Bond Volume Cap - State and local governments may issue “tax-exempt” bonds, to raise capital. Local bonds for infrastructure, low- and middle-income housing, student loans, small manufacturing facilities, and redevelopment, are subject to state-by-state limits, based upon population. H.R.4923 accelerates the scheduled increase in the annual private activity bond volume limits from \$50 to \$75 per resident, so that the phased-in increase would begin in 2001 (rather than 2003). (The proposal is similar to H.R. 864, the “State and Local Investment Opportunity Act,” introduced by Rep. Houghton February 25, 1999, which has 377 cosponsors.)

Low Income Housing Tax Credit - As an incentive to create more and better rental housing for low-income individuals, a credit is available to owners of rental properties that are rented to low-income individuals and that meet certain other requirements. H.R.4923 increases the amount of low income housing tax credits a state can issue from \$1.25 to \$1.75 per state resident, with the increase phased in over five years beginning in 2001. (The proposal is similar to H.R. 175, the “Affordable Housing Opportunity Act,” introduced by Rep. Nancy Johnson, which has 374 cosponsors.)

Faith Based Substance Abuse Treatment

H.R. 4923 allows religious organizations to compete for Federal grant money issued by the Substance Abuse and Mental Health Services Administration, whether or not they are located within an empowerment zone or a renewal community. The bill ensures that religious organizations that participate retain their independence from federal, state, and local government, including control over the definition, development, practice and expression of its religious beliefs. Additionally, it explicitly states that neither the federal government nor a state shall require a religious organization to alter its form of internal governance or remove religious art, icons, scripture, or other symbols. Finally, program beneficiaries must have a choice of secular or non-secular treatment.

New Markets Tax Credit

The bill would provide an incentive for taxpayers to invest in community development entities

(CDEs) that provide assistance to individuals and businesses in low-income areas. The proposal is similar to the “New Markets Tax Credit” included in the Administration’s 2001 budget. Treasury Department can allocate credits for up to \$15 billion in new equity investments in specific CDEs, through a competitive procedure. These credits would be dispersed among its investors, thereby providing an investor with a higher return on his or her investment in the CDE, as long as the CDE uses the funds from the investor to provide financial or other assistance to low-income individuals.

Transfer of HUD-Held Properties to Local Governments and Nonprofit Organizations

H.R. 4923 incorporates provisions of H.R. 815 the “American Community Renewal Act”, for the purpose of transferring substandard, vacant, HUD-held properties to local governments and community development corporations for homeownership and community revitalization efforts in distressed communities.

In order to maintain property values and dedicated homeowners, H.R. 4923 requires the HUD Secretary to transfer, to the maximum extent practicable, ownership of eligible properties (HUD-owned substandard multifamily, unoccupied multifamily, or unoccupied single-family properties) to a unit of local government having jurisdiction for the area where the property is located, or to a community development corporation within such jurisdiction, on certain terms and conditions. In cases where single-family property is transferred to a local unit of government, this section requires a \$1 purchase program, consistent with current HUD policy.

FHA Risk Sharing Demonstration Program

H.R. 4923 allows the FHA to risk-share 20% of its mortgage loan portfolio on a demonstration level with community development financial institutions. This will allow more individuals to purchase homes who normally don’t qualify for loans due to a high-risk credit history. (This provision is similar to Section 206 of H.R. 1776.)

The New Markets Venture Capital Legislation

New Markets Venture Capital Companies (NMVCCs) will be venture capital companies, licensed by the Small Business Administration (SBA), who have signed a participation agreement to operate under the New Markets Venture Capital Program. The participation agreement will detail the NMVCC’s operating plan and investment criteria; and require that investments be made in smaller enterprises at least 80 percent of which are located in low- or moderate-income geographic areas. (*Low- or moderate-income geographic areas* are census tracts, or county divisions, in which the poverty rate is not less than 20 percent and the median family income, must not exceed 80 percent of the statewide median or 80 percent of the metropolitan area median. HUBZones, Urban Empowerment Zones, Urban Enterprise Communities, rural Empowerment Zones or a Rural Enterprise Communities will also be included.) NMVCCs will provide developmental venture capital - equity capital for businesses, with a primary objective of fostering economic development in low- or moderate-income geographic areas.

The SBA will select firms with experience in investing in enterprises in low- and moderate-income areas to act as NMVCCs, enter into agreements with each NMVCC outlining terms for participation, require that 80% of NMVCC investments be in smaller enterprises in low- or moderate-income geographic areas. H.R.4923 allows the SBA to provide two types of financial assistance to NMVCs – (1) \$45 million for guaranteed debenture leverage (guaranteeing up to \$150 million in loans), and (2) \$30 million in grant funds to supplement the NMVC’s own operational assistance resources.

Small Business Investment Companies

Small Business Investment Companies (“SBICs”) will have access to leverage under the program without entering into a participation agreement with SBA to act as a NMVC company. The participation of the SBICs is limited to investments in LMI areas. SBICs are not eligible for operational assistance grants under New Markets. SBICs may also access operational assistance grants and without entering participation agreements.

BusinessLINC

H.R. 4923 authorizes \$6.6 million for the SBA Administrator to make grants and enter into cooperative agreements to promote business-to-business networking through third-party entities. Business LINC helps businesses by providing online information and a database of companies that are interested in mentor-protégé programs. Further, it initiates community-based, statewide, or local business development programs.

America’s Private Investment Companies

The America’s Private Investment Companies (APICs) program authorizes the Secretary of Housing and Urban Development (HUD) to license privately managed, for-profit investment companies (APICs) for large-scale, equity and debt investments in businesses located in distressed urban and rural areas.

Each APIC must have a minimum of \$25 million in private equity capital contributed by investors in order to be licensed by HUD. An APIC would be eligible to issue debentures, guaranteed by the government, for twice (200%) the amount of its total equity capital. The contributed equity and amounts raised through issuance of debentures are to be invested in businesses operating in low and moderate-income areas. The return from those business investments would go first to repay the government-guaranteed debt.

The legislation provides that APIC licensees are to be chosen by HUD pursuant to a competition. The number of APICs licensed at any one time would depend upon the amount of budget authority available to support the total credit subsidy provided to the program, but would be limited in the first year to no more than fifteen APICs. Of those APICs chosen in the first year, subject to the existence of an approvable application, at least one APIC shall have as its primary mission objective business investment in Native American lands.

The proposed credit subsidy for the program is \$36 million each fiscal year for FY 2000 through FY 2004. HUD estimates this level will support \$1 billion in investments. In addition, \$1 million is authorized for each of these fiscal years (2000 – 2004), for administrative expenses in connection

with carrying out the provisions of the legislation.

In addition to monitoring APICs' progress on their public purpose goals, the Secretary of HUD shall, for purposes of managing the financial risk of the federal government, regulate APICs for financial soundness and ensure that each APIC is structured so as to operate based on sound management practices. The HUD Secretary shall consult with the Secretary of the Treasury for purposes of accomplishing these functions. The legislation requires each APIC to submit an annual independent audit to the Secretary detailing its investments. The legislation also requires the HUD Secretary to report annually to Congress on the status of the APIC program. In addition, the General Accounting Office is required to report on the APIC program two years after the date of enactment of the legislation.

The effective date for licensing and other operations of APICs is six months after the date of enactment. Authority to grant licenses shall sunset five years after the date that the Secretary awards the first license for an APIC under this Act.

H.R. 4923 was introduced by Mr. Watts on July 21, 2000, and was not considered by a committee. A CBO cost estimate was not available at press time.

H.R. 4850 combines four bills, H.R. 4131, H.R. 4376, H.R. 3998, and H.R. 3816 to make a number of adjustments to the compensation of veterans and the armed services. Title I of the bill directs the Veterans Secretary to increase the rates of veterans disability compensation, dependency and indemnity compensation, additional compensation for dependents, and the clothing allowance for certain disabled adult children by December 1, 2000. The increase is equal to Social Security cost-of-living adjustment (COLA) that will take place on December 1, 2000. Any partial dollar amounts calculated are rounded down to the next lowest whole dollar amount.

Title II of the bill provides that a stroke or heart attack that is incurred or aggravated by a member of a reserve component in the performance of duty while performing inactive duty training shall be considered service-connected for the purpose of benefits under laws administered by the Secretary of Veterans Affairs. Title II of H.R. 4850 also provides that a special monthly compensation under section 1114(k) of title 38, USC, for the service-connected loss of one or both breasts due to a radical mastectomy will be the same as the rate for the service-connected loss or loss of use of one or more creative organs, or, limbs. Finally, Title III permits members who volunteer for assignment to a mobilization category of the Individual Ready Reserve to participate in the Servicemembers' Group Life Insurance (SGLI) program. At press time, a CBO cost estimate was not available. H.R. 4850 was introduced by Mr. Stump on July 13, 2000 and was reported from the Veteran's Affairs Committee on July 20, 2000.

H.R. 4864 authorizes the Secretary of Veterans Affairs to assist a claimant in obtaining evidence to establish entitlement to a benefit. The bill achieves this by requiring the Secretary to make reasonable efforts to obtain relevant records that the claimant identifies and authorizes the Secretary to obtain, and eliminates the requirement that a claimant submit a "well-grounded" claim before the Secretary can assist in obtaining evidence. (In the context of claims for service-connected disability benefits, a "well-grounded" claim is one that has evidence of in-service injury or disease, a diagnosis of a current disability or disease, and a medical opinion that the current disability or disease is related to the in-service injury or disease).

For service-connected disability compensation claims, H.R. 4864 requires the Secretary to: (1) obtain existing service medical records and other Department treatment records; (2) obtain relevant records in the control of federal agencies; and (3) provide a medical examination if the Secretary finds that the veteran has a current disability or symptoms and there is evidence to suggest that it may be related to an event, injury, or disease which took place in service. The bill requires other Federal agencies to furnish relevant records to the Department at no cost to the claimant. Under the bill a “claimant” is a person who would be eligible to receive assistance from the Veterans Secretary as any person seeking veterans benefits. Also, H.R. 4864 permits veterans who had claims denied or dismissed after the Court of Appeals for Veterans Claims decision in *Morton v. West* to request review of those claims within a two-year period following enactment. At press time, a CBO cost estimate was not available. H.R. 4864 was introduced by Mr. Stump on July 17, 2000 and reported from the Veterans Affairs Committee on July 20, 2000.

H.R. 1982 names the Veterans Affairs outpatient clinic located at 125 Brookley Drive, Rome, New York as the “Donald J. Mitchell Department of Veterans Affairs Outpatient Clinic.” After enactment of this bill all references to the clinic in law, regulation, map, document or record will be considered a reference to the Donald J. Mitchell Clinic. Donald J. Mitchell, born in 1923 and in 1964 was elected to the New York State Assembly. He served in that capacity for eight years and was majority whip for half of his tenure. Later, Donald Mitchell was elected to Congress in 1972, where he served his home region of upstate New York for ten years, retiring in 1983. H.R. 1982 was introduced by Mr. Boehlert on May 27, 2000 and reported from the Veterans Affairs Committee on July 20, 2000.

H.Con.Res. 351 express the sense of Congress that Heroes Plaza in the City of Pueblo, Colorado, is recognized, effective as of the September 2000 reunion of living Medal of Honor recipients in that city, as honoring the recipients of the Medal of Honor and honoring their commitment to the United States and to serving in the Armed Forces with courage, valor, and patriotism. The measure was introduced by Mr. McInnis of June 9, 2000 and was not considered by a committee.

H.Res. 549 expresses the sense of the House that Congress acknowledges the historical significance of the 10th anniversary of the initial activation of National Guard and Reserve personnel for Operation Desert Shield and Operation Desert Storm and that Congress honors the service and sacrifice of these citizen soldiers and their families. This bill recognizes the growing importance of the National Guard and Reserve to the security of the United States and supports ensuring the readiness of the National Guard and Reserve. This bill was introduced by Mr. Gallegly *et al.* on July 12, 2000 and was not considered by a committee.

H.R. 4846 establishes a national recording registry at the Library of Congress to maintain and preserve recordings that are culturally, historically, or aesthetically significant. The bill provides for the creation of three components to establish the national recording the registry. The first is a registry on which recordings slated for restoration and preservation shall be indexed and a national recording preservation program to (1) coordinate activities to ensure that efforts of the various people involved are effective and complementary; (2) generate awareness and support; (3) increase the accessibility of recordings for educational purposes; (4) undertake studies on preservation activities and technologies; (5) utilize the audiovisual conservation center of the Library of Congress at Culpeper, Virginia. The Librarian will establish the criteria and procedures by which recordings will be included in this registry, except for one provision in the bill which specifies that no recording will be included in the registry until ten years after its creation.

The second component is a Registry Board that will set preservation protocols, provide expertise and access to the recordings in the collection, and raise private funds for the restoration and preservation of selected recordings (the bill authorizes a maximum of \$250,000 for the annual operation of the board). The Librarian of Congress will appoint members and the term of each member will be four years. There is no limit to the number of terms each member can serve. The third component is a foundation for raising private funds to support the registry. The bill also calls for the Librarian of Congress to create a seal to identify that a recording has been included in the National Recording Registry, and that it is a Registry version of that recording. H.R. 4846 was introduced by Mr. Thomas on July 13, 2000 and was not considered by a committee.

H.R. 4924 allows the chairman or ranking member of a committee of jurisdiction to request that the Comptroller General submit a report on an economically significant rule within 180 days or within the public comment period for proposed or interim rules. This independent evaluation from the GAO will include an evaluation of the potential benefits of the rule, potential costs of the rule, alternative approaches in the agencies' proposal, and the various impact analyses.

Unlike a similar measure, S. 1198, passed by the Senate on May 10, 2000 by unanimous consent, H.R. 4924 defines an "agency," for the purposes of this measure, to exclude independent regulatory agencies. The bill defines an "economically significant rule" as a major rule having a \$100 million or more effect on the economy or a significant impact on small businesses. Also, an "independent evaluation" is defined as a substantive evaluation of the agency's data, methodology and assumptions, including strengths or weaknesses in those data, methodology, and assumptions and any implications for the rulemaking. H.R. 4924 authorizes a three-year pilot project and \$5.2 million for each year from FY 2001 to 2003 in order to fund the GAO evaluation of the proposed rules and regulations. At press time a CBO cost estimate was not available. H.R. 4924 was introduced by Ms. Kelly on July 24, 2000.

Additional Information: see *Legislative Digest* Vol. XXIX, #21 Pt. II, July 24, 2000.

H.R. 1651 amends the 1967 Fisherman's Protective Act (FPA) to extend from 2000 to 2003 the period during which reimbursement may be provided to owners of United States fishing vessels for costs incurred when the vessel is seized and detained by a foreign country. The FPA established a voluntary insurance program to compensate fishermen who suffer lost income through these illegal seizures. Under this program, known as the Fishermen's Guaranty Fund, the Secretary of State collects fees from the owners of U.S. commercial fishing vessels to cover administrative costs, along with a portion of the reimbursements. The current bill differs slightly from the version passed in the House on September 13, 1999. Two amendments adopted in the Senate have added provisions to the bill. Title II, The Yukon River Salmon Act, establishes a panel to advise the Secretaries of State and Interior on Yukon River Salmon management issues in Alaska. H.R. 2181, The Fisheries Survey Vessel Authorization Act, was added as Title III. This section authorizes \$60 million for each of the fiscal years 2002 and 2003 for the Secretary of Commerce to acquire two fishery research vessels to study species abundance, recruitment, age class composition, and responses to ecological change and fishing pressure in the Nation's waters. A fourth additional title, Title IV, bans the use of spotter aircraft in the general and harpoon categories of the blue fin tuna fishery. The bill was introduced by Mr. Young (AK) et al. on May 25, 1999 and was reported by the Resources Committee by voice vote on June 23, 1999. The Senate passed the bill by unanimous consent on June 26, 2000.

H.R. 3236 authorizes the Secretary of the Interior to enter into contracts with the Weber Basin Water Conservancy District or any of its member unit contractors for water from Weber Basin, Utah. The contracts may be for the use of facilities associated with the Weber Basin Project to impound, store, and carry non-project water for domestic, municipal, and industrial purposes. The bill also allows the exchange of water among Project contractors for these purposes. H.R. 3236 would not require the Weber Basin Water Conservancy District to reimburse the federal government for the full cost of handling non-project water. H.R. 3236 was introduced by Mr. Cannon on November 5, 1999 and reported from the Resources Committee on July 17, 2000.

H.R. 3468 gives water rights that were previously authorized to the United States Indian Service to the City of Duchesne, Utah. Since the U.S. Indian Service no longer exists, there is no ability to transfer the water right to the City of Duchesne. This bill would convey those rights. This change is technical, since it gives Duchesne the legal rights to water it has always used. To ensure that the reservation continues to have access to the water, the bill directs the Secretary of the Interior to require that Duchesne allow the Ute Indian Tribe and any person affiliated with the tribe or using its land to connect to the City's municipal water system. The bill would not require the tribe to pay any water impact or connection fee or deliver or transfer any water or water rights for such a connection. However, H.R. 3468 does permit charging any person that connects to the City's municipal water system reasonable and customary fees for system operation and maintenance costs to treat, transport, and deliver water. H.R. 3468 was introduced by Mr. Cannon on November 18, 1999 and reported from the Resources Committee on May 24, 2000.

H.R. 3676 seeks to include the federal lands in the Santa Rosa and San Jacinto Mountains as a National Monument. The purpose of this establishment would be to preserve the biological, cultural, recreational, geological, educational, and scientific values in the Santa Rosa and San Jacinto Mountains of California. The bill was introduced by Mrs. Bono on April 13, 2000 and the House Resources Committee reported it by voice vote on July 17, 2000.

H.R. 3817 redesignates the Big South Trail in the Comanche Peak Wilderness Area of Roosevelt National Forest in Colorado as the "Jaryd Atadero Legacy Trail." Any reference in a law, map, regulation, document, paper, or other record of the United States to the trail referred to in section 2 shall be deemed to be a reference to the "Jaryd Atadero Legacy Trail." The Secretary of Agriculture shall post a sign at the trailhead of the trail referred to in section 2 that is to include a copy of this Act and a picture of Jaryd Atadero. This bill was introduced by Mr. Tancredo on March 1, 2000. H.R. 3817 was reported by voice vote on June 7, 2000 by the House Committee on Resources.

S. 1629 allows for the exchange of over 100,000 acres of public and private land in Oregon. Approximately 50,000 acres of private held land in northwest Oregon is proposed to be traded for 54,000 acres of BLM and Forest Service land. If the value of the lands exchanged is unequal, it will be equalized with a payment of cash to the Agriculture and Interior Secretaries. S. 1629 was introduced by Mr. Smith and Mr. Wyden on September 23, 1999 and reported from the Resources Committee on May 24, 2000.

H.R. 4275 establishes the Colorado Canyons National Conservation Area and the Black Ridge Canyons Wilderness placing two new areas of Colorado land under protection of federal law.

The Colorado Canyons National Conservation Area encompasses about 112,000 acres of land in the Grand Valley of Colorado and the Black Ridge Canyons Wilderness area in Mesa County, Colorado covers 70,000 acres. The bill provides that the land is to be used for traditional uses such as grazing, hiking, camping and other recreational activities. Nothing in the bill is to affect the jurisdiction of the State of Colorado with regard to wildlife or fishing. The bill was introduced by Mr. McInnis and Mr. Hefley on April 13, 2000 and was reported by the Committee on Resources by unanimous consent on July 19, 2000.

H.R. 2919 authorizes \$16 million in new appropriations to be used by a nonprofit group that is building the Freedom Center in Cincinnati, Ohio to honor the Underground Railroad—numerous safe-houses that were used to harbor slaves that were seeking freedom in the North prior to the start of the Civil War. The \$16 million, to be spread over four years, must be matched with \$4 dollars for each federal dollar. The purpose of the Center is to promote preservation and awareness of the Underground Railroad. Nearly \$35 million has been raised by civic leaders so far. An amendment adopted in committee establishes a fund for preservation of historic sites associated with the Underground Railroad throughout the country. The amendment authorizes \$2.5 million a year for this purpose. H.R. 2919 was introduced by Mr. Portman on September 22, 1999 and was reported by the Resources Committee by voice vote on June 20, 2000.

S. 1910 authorizes the Secretary to acquire, without restriction, the Hunt House at Women's Rights National Historical, the last remaining site in private ownership that the Congress has identified as significant to the story of the park. The Women's Rights National Historical Park, established in 1980 through Public Law 96-607, was created to preserve and interpret the important sites associated with the First Women's Rights Convention held in Seneca Falls, New York, in 1848. That legislation originally identified nine sites that would make up the features of the park. The Secretary was authorized to acquire a fee simple title to six of those nine sites. With regard to the remaining three sites, the Secretary was authorized only to acquire a less-than-fee interest in the sites. The home of Jane Hunt, located in Waterloo, New York, was one of the sites. S. 1910 was introduced by Senators Moynihan and Schumer on November 10, 1999, was reported favorably by the Senate Committee on Energy and Natural Resources on April 5, 2000. It passed the Senate on April 13, 2000 and was not considered by a House committee.

H.R. 2833 establishes the Yuma Crossing National Heritage Area in Yuma, Arizona. The management of the Heritage Area would be conducted by the Interior Secretary and the newly formed Yuma Crossing National Heritage Area Board of Directors. The duties of this management entity are to assist governments and organizations in increasing public awareness, developing recreational resources, and encouraging the economic viability of the Heritage Area. H.R. 2833 prohibits the management entity from using Federal funds received under this Act to acquire real property or interests in real property, and authorizes the Board of Directors to spend federal funds on non-federally owned property that would benefit the Heritage Area.

This bill also requires the Board of Directors develop a comprehensive plan that supports the goals and operations of the Heritage Area. Upon request of the Board of Directors, the Secretary may provide technical and financial assistance towards implementing the plan. The financial assistance could not exceed \$1,000,000 annually and \$10,000,000 over the duration of the Act. The Heritage Area would be ineligible for this federal funding if the management plan is not submitted within three years of this bill's enactment date. H.R. 2833 was introduced by Mr. Pastor on September 19, 1999 and reported out of the Resources Committee on June 7, 2000.

S. 2327 establishes a Commission on Ocean Policy to make recommendations for coordinated and comprehensive national ocean policy that will promote the protection of life and property against natural and manmade hazards. The Commission will provide a report that includes a review of Federal laws and regulations on United States ocean policy and the relationship between Federal, State, and local governments and the private sector in planning and carrying out ocean and coastal activities. Also, this report will include opportunities for the development of or investment in new products, technologies, or markets related to ocean and coastal activities and recommendations for any modifications to United States laws, regulations, and the administrative structure of Executive agencies. CBO estimates that implementing S. 2327 will cost the federal government about \$6 million over fiscal years 2001 and 2002—of which \$3.5 million has already been appropriated. This bill was introduced by Mr. Hollings on March 29, 2000. S. 2327 was reported by the Senate Commerce Committee on May 23, 2000, and passed the Senate by unanimous consent on June 26, 2000.

H.R. 2462 reforms a number of laws that deal with the territory of Guam. First, the bill gives the Guam government jurisdiction over the disposition of lands no longer wanted by the American government. The bill also extends to Guam the same reduced withholding tax rate enjoyed by the rest of the United States (Guam presently has a 30 percent rate even though the U.S. negotiates lower rates through treaties). H.R. 2462 also requires that betel nuts grown in Guam be treated as domestic, not foreign, products by the U.S. Customs Service. Currently, foreign betel nuts are banned in the United States. Finally, the bill authorizes \$300,000 for governors of the territories and the State of Hawaii to evaluate and report to the Congress on the impact of the Compacts of Free Association in each of their respective jurisdictions. H.R. 2462 was introduced by Mr. Underwood on July 12, 1999 and was reported unanimously by voice vote on June 28, 2000.

H.R. 4868 contains over 155 provisions allowing for the temporary suspension or reduction of duties on a wide variety of products. On a regular basis, the House takes up a trade bill to grant new and review duty exemptions that are scheduled to expire shortly thereafter. H.R. 4868 is one such bill. The products covered include drugs used to treat HIV/AIDS, environmentally sound herbicides and insecticides and other chemicals. The bill also contains provisions to (1) ban the importation of products made with dog and cat fur, (2) reduce the duty rates beyond the \$400 exemption for merchandise purchased abroad, (3) provide duty-free treatment of the personal effects of participants entering the U.S. to participate in international athletic events (and items used in connection with these events), and (4) stream-line Customs entry processing. H.R. 4868 was introduced by Mr. Crane *et al.* on July 18, 2000 and was reported unanimously by the Ways and Means Committee on July 19, 2000.

H.R. 4710 authorizes \$5 million for FY 2001 to the Criminal Division, Child Exploitation and Obscenity Section, of the Department of Justice to prosecute obscenity cases. This includes those arising under chapter 71 of title 18, United States Code, which defines obscenity to include such offenses as mailing obscene or crime-inciting matter, importation or transportation of obscene matters, broadcasting obscene language, transportation of obscene matters for sale or distribution, and transfer of obscene material to minors. H.R. 4710 was introduced by Mr. Largent on June 21, 2000 and was not considered by a committee.

H.R. 4047 requires that anyone convicted of a second sex offense against a child will be sentenced

to life in prison, unless the sentence of death is imposed. Specifically, anyone convicted of a federal sex offense that has a prior conviction of either a federal offense, or a comparable state crime, will be sentenced to life imprisonment. H.R. 4047 does not federalize any state crimes, nor does it create any new federal crimes. It specifically covers the most serious federal sex crimes including: (1) aggravated sexual abuse; (2) sexual abuse of a minor or ward; (4) sexual abuse of a minor resulting in death; and (4) selling or buying of children for prostitution. H.R. 4047 was introduced by Mr. Green (WI) on March 21, 2000 and was not considered by a committee.

H.R. 3380 amends federal law to establish criminal jurisdiction over offenses committed outside the United States by people employed by (i.e., contractors) or accompanying the United States armed forces. Additionally, the measure establishes federal criminal jurisdiction over offenses committed outside the United States by members of the Armed Forces. This includes people who commit crimes abroad while members of the Armed Forces but who are not tried for those crimes by military authorities and later cease to be subject to military control. The bill also authorizes designated military personnel to arrest people who commit these crimes and specifies when the people to be arrested are to be turned over to civil law enforcement officials. The bill also sets forth procedures defining the government's power to forcibly remove a person arrested or charged with a crime under the bill to the United States. Finally, the bill provides procedures whereby certain initial proceedings that occur in connection with an investigation and prosecution of the new offense can occur by telephone or other electronic means before the defendant is brought to the United States. CBO estimates that enacting H.R. 3380 will not result in any significant cost to the federal government. The Judiciary Committee reported the bill by voice vote on June 27, 2000.

H.R. 3485 amends the federal judicial code to revise the definition of "agency or instrumentality of a foreign state." This affords claimants who have won cases in federal courts a better opportunity to collect their claim. To date no plaintiff who has won such a case has been able to collect the claim. The bill revises the definition so that it will apply to any case concerning the attachment and execution of property in the United States of a foreign state based on a judgment against that state for a personal injury or death caused by torture, extrajudicial killing, aircraft sabotage, hostage taking or the material support of such acts by an official employee or agent of a foreign state. This allows an entity to be deemed an agency or instrumentality of the foreign state that sponsored the terrorist act, regardless of where the entity is incorporated. This will allow froze assets of terrorist states with a judgment pending against them to be subject to attachment and execution as if the U.S. is a private entity. The bill allows the President to waive this provision and protect property, and funds, necessary to operate the property, subject to the Vienna Conventions on Diplomatic Relations and Consular Relations from attachment and execution to satisfy a judgment. This waiver does not apply to any proceeds from the sale or transfer of these properties to a third parties.

Finally, H.R. 3485 contains a cross liability provision between an agency or instrumentality of a foreign state and the state itself. The provision provides that a judgment against a state that sponsors terrorism can be executed against the assets of an agency or instrumentality of that state, even if there is no proof of fraud or proof that the agency is an alter ego of that foreign state. This provision is designed to allow collection on judgments, in light of the *First National City Bank v. Banco Para El Comercio de Cuba*, 462 U.S. 611 (1983). The CBO estimates that enacting H.R. 3485 will increase direct spending by about \$405 million in 2001. The bill was introduced by Mr. McCollum on November 18, 1999 and reported from the Judiciary Committee on July 13, 2000.

H.R. 4033 reauthorizes the Bulletproof Vest Partnership Grant Program, doubling its funding level

to \$50 million annually for FY 2002-04. The program provides grants to communities that pay up to 50 percent of the purchase costs of bulletproof and stab proof vests. The program affords priority to cities with less than 100,000 residents. The CBO estimates that H.R. 4033 will cost \$134 million over the 2002-05 period. The bill was introduced by Mr. Visclosky on March 20, 2000 and reported from the Judiciary Committee by voice vote on July 20, 2000.

H. Res. 544 congratulates the people and Government of the United Mexican States for the successful completion of the democratic multiparty elections held on July 2, 2000 for president and the legislature. The resolution commends the Mexican people and the political parties of Mexico for their strong support in strengthening of their democracy. It also congratulates President-elect, Vincente Fox, for his election victory and his strong commitment to democracy and a free-market economy. It also reaffirms the United States friendship with Mexico and the American commitment to encourage democracy throughout Latin America. The bill was introduced by Mr. Gallegly on July 11, 2000 and was referred to the House Committee on International Relations on July 11, 2000.

H.R. 4697, the International Anti-Corruption and Good Governance Act of 2000, is designed to promote good governance in developing countries by enhancing accountability and oversight practices that attack corruption and promote transparency in the administration of government programs and throughout the private sector. The bill authorizes the President to establish programs to combat corruption, improve transparency, and other good governance in developing societies by promoting practices that support independent media, require independent media, require financial disclosure among public officials, political parties, and candidates for public office, and that mandate open budgeting processes and financial management systems.

By instituting appropriate oversight programs, democratic practices will be strengthened and confidence in the administration of government and development programs will be enhanced. The bill places priority consideration in those developing societies that have the most persistent priorities with public and private corruption and whose governments can benefit most from the oversight and accountability programs that the President is authorized to establish pursuant to this bill. The bill was introduced by Mr. Gejdenson on June 20, 2000 and was reported from the International Relations Committee by voice vote on June 29, 2000.

H.R. 4210 establishes an independent entity within the Executive Office of the President to oversee and coordinate all federal programs which help state and local governments prepare for a terrorist attack. This entity is responsible for establishing a comprehensive strategy for terrorism preparedness and assisting state and local governments, evaluating federal programs designed to help state and local governments, and providing recommendations to coordinate the President's budget request for terrorism preparedness programs. CBO estimates that implementing H.R. 4210 will cost \$47 million over the FY 2001-2005 period (assuming the necessary amounts are provided). The Transportation & Infrastructure Committee reported the bill by voice vote on June 21, 2000.

H. R. 4806 designates the building located at 1710 Alabama Avenue in Jasper, Alabama, as the 'Carl Elliott Federal Building.' Carl Elliott served Alabama as a member of the U.S. House of Representatives from 1948 until 1964. Mr. Elliott made it his prerogative to improve the education system in the United States and was responsible for legislation which brought libraries to rural communities. Mr. Elliott, during his terms in office, was allied with President John F. Kennedy

and served on the House Rules Committee. Despite his many accomplishments, Mr. Elliott was defeated in the 1966 gubernatorial race in Alabama. However, in 1990, Mr. Elliott received the John F. Kennedy Profile in Courage Award for his devotion to public service. The bill was introduced by Mr. Aderholt on June 29, 2000 and was reported by the Committee on Transportation on June 29, 2000.

H.Con.Res. 372 recognizes the historic significance of the 210th anniversary of the establishment of the coast Guard and the indelible contributions of the Coast Guard to the United States. It commends the Coast Guard's effectiveness in protecting the public, the environment, and United States economic and security interests. The resolution further commends the men and women serving in the Coast Guard who risk their lives to save others in danger at sea, enforce the Nation's treaties and other laws, protect the marine environment and support diplomatic and national defense interests of the United States worldwide. H.Con.Res. 372 supports the Coast Guard in its efforts to remain always ready as it moves forward to meet the demands of the 21st century. The bill was introduced by Mr. Capuano on July 17, 2000 and was reported by the Committee on Transportation and Infrastructure on July 17, 2000.

H.R. 4807 reauthorizes The Ryan White CARE Act for five more years. The original legislation created the programs that serve as the primary sources of federal AIDS prevention and treatment funding for the country. This reauthorization revises the grant formulas to shift the emphasis of the programs away from treating people with full-blown AIDS to people with the viral pre-cursor of AIDS, HIV. In that same vein, the measure also actively addresses prevention of the disease. A CBO cost estimate was unavailable at press time. The House Commerce Committee approved the measure by voice vote on July 13, 2000.

H.Con.Res. 375 expresses the sense of Congress regarding the importance of children and supporting the goals of National Youth Day. The resolution also encourages people in the United States to participate in local and national activities that seek to fulfill the Five Promises to America's Youth, as established by America's Promise- The Alliance for Youth. These five promises include having ongoing relationships with caring adults, safe places with structured activities during non-school hours, a healthy start and future, marketable skills through effective education, and opportunities to give back through community service. National Youth Day will be held on a Saturday near the beginning of the school year with the specific date determined by the local community. The bill was introduced by Mr. McCollum on July 18, 2000.

H.Con.Res. 343 expresses the sense of the House that Congress acknowledges that eating dinner together is a critical step for a family in raising healthy, drug-free children. Congress believes that a National Eat-Dinner-With-Your-Children Day should be established in order to encourage families to eat together as often as possible. This bill was introduced by Mr. Rangel on May 25, 2000.

Additional Information: See *Legislative Digest* Vol. XXIX, #21, July 21, 2000

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